

MONDAY, JUNE 19, 2000

NINETY-FOURTH LEGISLATIVE DAY

The House met at 3:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Gene Jeffers, Forrest Park Bible Church, Terre Haute, Indiana.

Representative Goins led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Black; personal reasons.

Representative Gunnels; personal reasons.

Representative McDonald; personal reasons.

Representative Miller; personal reasons.

Representative Ridgeway; personal reasons.

Representative Roach; personal reasons.

**MONDAY, JUNE 19, 2000 — NINETY-FOURTH LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR**

**June 19, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 849, 860, 861, 863, 864, 869 and 870, with his approval.

MICHELLE LONG, Counsel to the Governor.

**ENROLLED BILLS**

**June 19, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 847, 862; also, House Resolution(s) No(s). 140.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**June 19, 2000**

The Speaker signed the following: House Joint Resolution(s) No(s). 847, 862; also, House Resolution(s) No(s). 140.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 19, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 847 and 862; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**June 19, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3027, 3362, with his approval.

MICHELLE LONG, Counsel to the Governor.

**RESOLUTIONS**

**June 19, 2000**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 19, 2000:

**House Resolution No. 291** -- Memorials, Recognition - Ashland City Volunteer Fire Department. by \*Williams (Williamson).

CONSENT CALENDAR

**House Resolution No. 291** -- Memorials, Recognition - Ashland City Volunteer Fire Department. by \*Williams (Williamson).

**House Joint Resolution No. 865** -- Memorials, Professional Achievement - Dr. Dorothy L. Brown, First African-American woman elected to the general assembly. by \*DeBerry J., \*Brooks, \*Cooper B, \*Miller L, \*Odom, \*Briley, \*Brown, \*Pruitt, \*Chumney, \*Armstrong.

**Senate Joint Resolution No. 967** -- Memorials, Retirement - Ray Minton, Cannon County Administrator of Elections. by \*Burks, \*Womack.

Rep. J. DeBerry moved that all members voting aye on House Joint Resolution No. 865 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 92  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

REGULAR CALENDAR

**\*House Bill No. 3011** -- Tobacco, Tobacco Products - Clarifies that tobacco manufacturers electing to place funds in escrow must certify annually compliance with requirements regarding amounts to be placed in escrow; makes various technical and grammatical corrections. Amends TCA Title 47, Chapter 31. by \*Givens. (SB3083 by \*Haun)

On motion, House Bill No. 3011 was made to conform with **Senate Bill No. 3083**; the Senate Bill was substituted for the House Bill.

Rep. Givens moved that **Senate Bill No. 3083** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 90  
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 90.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**  
**June 19, 2000**

MR. SPEAKER: I am directed to notify the House that the Senate has appointed a new Conference Committee on the Budget composed of the following members: Senators Kyle, Chairman, Henry, McNally, Rochelle, Haun, Williams, Crutchfield, Elsea, Ford, Haynes, Fowler, Ramsey and Cooper.

RUSSELL HUMPHREY, Acting Chief Clerk.

**UNFINISHED BUSINESS**

**SPECIAL ORDER**

Pursuant to **Rule No. 73**, the Speaker appointed Representative McAfee as an additional House member of the Conference Committee on House Bill No. 3364.

The committee is now composed of Representatives L. DeBerry, Chair, Head, Hargrove, McDaniel, Kisber, Whitson, Rhinehart, Armstrong, Cole (Carter), Cole (Dyer), Kent, Rinks, Garrett and McAfee.

**MESSAGE FROM THE GOVERNOR**

Pursuant to **Rule No. 78**, the Clerk read the Governor's veto of House Bill No. 2452 and requested the same be spread upon the Journal:

**House Bill No. 2452** -- Cemeteries - Removes provision which subjects income from charitable cemetery trust for perpetual care of private cemeteries to taxation when income from such trust exceeds \$50,000. Amends TCA Section 46-7-102. by \*Davis (Washington), \*Patton, \*Mumpower. (\*SB2655 by \*Crowe)

**GOVERNOR'S STATEMENT ON HOUSE BILL NO. 2452**

I am vetoing House Bill 2454/Senate Bill 2655. This bill amends Tennessee Code Annotated, Section 46-7-102(c) in a manner that directly conflicts with Tennessee Code Annotated, Section 67-2-104(p) on the same subject manner. The creation of this obvious inconsistency in the revenue statutes for this state is unwise. For this reason, I am vetoing House Bill 2454/Senate Bill 2655.

**MOTION TO ADOPT REVISED HOUSE SCHEDULE**

Rep. Hargrove moved that the House meet at 9:00 a.m. on Tuesday, June 20, 2000, which motion prevailed.

**ENGROSSED BILLS**

**June 19, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 865.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 91

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 91.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Tuesday, June 20, 2000.